1       ANDRÉ BIROTTE JR. United States Attorney         2       ROBERT E. DUGDALE Assistant United States Attorney         3       STEVEN R. WELK         4       Assistant United States Attorney Chief, Asset Forfeiture Section         5       MONICA E. TAIT Assistant United States Attorney         6       Asset Forfeiture Section         7       I400 United States Courthouse 312 North Spring Street         8       Los Angeles, California 90012 Telephone: (213)894-7177         8       Facsimile: (213)894-7177         8       Facsimile: (213)894-7177         8       Facsimile: (213)894-7177         9       Facsimile: (213)894-7177         9       Facsimile: (213)894-7177         10       Attorneys for Plaintiff         11       United States of America         12       UNITED STATES DISTRICT COURT         13       FOR THE CENTRAL DISTRICT OF CALIFORNIA         14       WESTERN DIVISION         15       UNITED STATES OF AMERICA, NO. CV 07-8148 DSF (SHx)         16       Plaintiff, NORE 2007 JAGUAR XKR COUPE, ONE 1000 CONSENT JUDGMENT         17       V.       ONE 2004 DODEDE DURANGO LIMITED, ONE 2005 ASTON MARTIN DE9; AND 100 S88,983.10 IN BANK ACCOUNT 100				
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<pre>4 Assistant United States Attorney Chief, Asset Forfeiture Section MONICA E. TAIT Assistant United States Attorney Asset Forfeiture Section California Bar No. 157311 7 1400 United States Courthouse 312 North Spring Street 8 Los Angeles, California 90012 Telephone: (213)894-291 9 Facsimile: (213)894-291 9 Facsimile: (213)894-7177 8 E-Mail: Monica.Tait@usdoj.gov 10 Attorneys for Plaintiff 11 United States of America 12 UNITED STATES DISTRICT COURT 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA 14 WESTERN DIVISION 15 UNITED STATES OF AMERICA, NO. CV 07-8148 DSF (SHx) 16 Plaintiff, AMENDED CONSENT JUDGMENT 17 v. ) 18 2006 CHEVROLET CORVETTE 206, ) 19 ONE 2007 JAGUAR XKR COUPE, ONE ) 2006 CHEVROLET CORVETTE 206, ) 19 ONE 2006 MASERATI GRANSPORT, ) 19 ONE 2006 MASERATI GRANSPORT, ) 19 ONE 2006 DDER DURANGO LIMITED, ) 10 ES 2005 ASTON MARTIN DB9: AND ) 25 SAME D. MELTON, ) 12 Defendants. ) 13 Defendants. ) 14 Claimant. ) 15 The court having reviewed the stipulation between the United 15 The court having reviewed the stipulation between the United 16 The court having reviewed the stipulation between the United 17 The court having reviewed the stipulation between the United 17 Chained Constant Chained Ch</pre>	3	Chief, Criminal Division	7	
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<pre>6 Asset Forfeiture Section California Bar No. 157311 7 1400 United States Courthouse 312 North Spring Street 8 Los Angeles, California 90012 Telephone: (213)894-2931 9 Facsimile: (213)894-7177 E-Mail: Monica.Tait@usdoj.gov 10 Attorneys for Plaintiff 11 United States of America 12 UNITED STATES DISTRICT COURT 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA 14 WESTERN DIVISION 15 UNITED STATES OF AMERICA, ) NO. CV 07-8148 DSF (SHx) 16 Plaintiff, ) 17 v. ) 18 2006 CHEVROLET CORVETTE Z06, ) 19 ONE 2007 JAGUAR XKR COUPE, ONE ) 12 2006 CHEVROLET CORVETTE Z06, ) 0NE 2005 ASTON MARTIN DB9; AND ) 25 \$\$,983.10 IN BANK ACCOUNT ) 19 Defendants. ) 20 Defendants. ) 21 Defendants. ) 23 The court having reviewed the stipulation between the United 24 The court having reviewed the stipulation between the United 25 The court having reviewed the stipulation between the United 26 The court having reviewed the stipulation between the United 26 The court having reviewed the stipulation between the United 27 The court having reviewed the stipulation between the United 28 The court having reviewed the stipulation between the United 29 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation between the United 29 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation between the United 20 The court having reviewed the stipulation the tween the United the court having reviewe</pre>	5	MONICA E. TAIT		
7       1400 United States Courthouse 312 North Spring Street         8       Los Angeles, California 90012 Telephone: (213)894-2931         9       Facsimile: (213)894-7177         E-Mail: Monica.Tait@usdoj.gov         0         Attorneys for Plaintiff         11       United States of America         12       UNITED STATES DISTRICT COURT         13       FOR THE CENTRAL DISTRICT OF CALIFORNIA         14       WESTERN DIVISION         15       UNITED STATES OF AMERICA, )       NO. CV 07-8148 DSF (SHx)         16       Plaintiff, )          17       v.       )         18       2006 CHEVROLET CORVETTE Z06, )          19       ONE 2004 MASERATI GRANSPORT, )          20       Defendants. )          21       Defendants. )          22       Defendants. )          23       Claimant. )           24	б	Asset Forfeiture Section	7	
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10       Attorneys for Plaintiff         11       United States of America         12       UNITED STATES DISTRICT COURT         13       FOR THE CENTRAL DISTRICT OF CALIFORNIA         14       WESTERN DIVISION         15       UNITED STATES OF AMERICA, ) NO. CV 07-8148 DSF (SHx)         16       Plaintiff, )         17       v. )         18       2006 CHEVROLET CORVETTE Z06, )         19       ONE 2007 JAGUAR XKR COUPE, ONE )         18       2006 CHEVROLET CORVETTE Z06, )         19       ONE 2006 MASERATI GRANSPORT, )         19       ONE 2006 ASTON MARTIN DB9; AND )         20       \$58,983.10 IN BANK ACCOUNT )         11       JAMES D. MELTON, )         21       Defendants. )         22       JAMES D. MELTON, )         23       Claimant. )         24	9	Facsimile: (213)894-7177		
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<pre>22 JAMES D. MELTON, ) 23 Claimant. ) 24) 25 26 The court having reviewed the stipulation between the United</pre>	21			
23 Claimant. ) 24) 25 26 The court having reviewed the stipulation between the United	22	)		
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26 The court having reviewed the stipulation between the Unite	24	Claimant.		
26 The court having reviewed the stipulation between the Unite				
		The court having reviewed t	the stipulation between the United	
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28 Judgment filed as document no. 39 in this matter, and the

accompanying Stipulation and Request for Entry of Amended Consent
 Judgment,

IT IS HEREBY ORDERED AS FOLLOWS:

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James D. Melton ("Melton") has filed a claim to contest
 the forfeiture of the remaining defendant assets in this case,
 which are more particularly described as follows:

7 a. One 2006 Chevrolet Corvette Z06, bearing VIN
8 1G1YY26E265126228 and registered to James D. Melton;

9 b. One 2004 Dodge Durango Limited, bearing VIN
10 1D4HB58D44F210253 and registered to James D. Melton;

11 c. \$40,000 seized from an account at Bank of America 12 in the name of James D. Melton, bearing an account number ending 13 in -2396;

d. \$9,265.71 seized from an account at Bank of
America in the name of Rhonda Melton at Bank of America, bearing
an account number ending in -8555;

e. \$9,557.39 seized from an account at Regions AM
South Bank in the names of Null Perspiration/James D. Melton,
bearing an account number ending in -8082; and

f. \$160.00 seized from an account at Colonial Bank of Birmingham, Alabama, in the names of TV Delivered LLC, bearing an account number ending in -6284.

23 2. The government's complaint in this action was filed on
24 December 14, 2007, alleging that the defendant assets were
25 subject to forfeiture to the United States pursuant to 21 U.S.C.
26 § 881(a)(6) and 18 U.S.C. §§ 981(a)(1)(C), 984. Plaintiff has
27 notified other potential claimants of this action, including
28 Rhonda Melton, pursuant to Supplemental Rule G for Admiralty or

Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure. Notice of forfeiture of the defendants was published on March 14, 21, and 28, 2008 and again on May 1, 8, and 15, 2008 in accordance with Supplemental Rule G(4)(a). No claims or answers have been filed to contest the forfeiture of the defendant funds by anyone other than Melton, and the time for filing claims and answers has expired. All potential claimants to the defendants other than Melton are deemed to have admitted the allegations of the complaint.

3. It is the intent of the United States and Melton to resolve all of their competing claims to the defendants by their Stipulation filed as docket no. 39 and this Amended Consent Judgment, which replaces the judgment previously entered by this Court on August 30, 2010 and filed as docket no. 40. By entering into such Stipulation, and its provisions, Melton has neither admitted nor denied any of the allegations of the complaint.

4. This Court has jurisdiction over the subject matter of the present action and over the parties to the Stipulation filed as docket no. 39.

5. The Complaint states a claim for relief against the defendants.

6. The parties have agreed to the following disposition of the defendants:

a. The United States shall have judgment in the present
forfeiture action against the interests of James Melton and all
other potential claimants in the following assets (the "Forfeited
Defendants"):

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i. One 2006 Chevrolet Corvette Z06, bearing VIN

1G1YY26E265126228 and registered to James D. Melton;

\$40,000 seized from an account at Bank of America ii. in the name of James D. Melton, bearing an account number ending in -2396, and all interest earned thereon since the time of seizure;

iii. \$9,557.39 seized from an account at Regions AM South Bank in the names of Null Perspiration/James D. Melton, bearing an account number ending in -8082, and all interest earned thereon since the time of seizure; and

\$160.00 seized from an account at Colonial Bank of iv. Birmingham, Alabama, in the names of TV Delivered LLC, bearing an account number ending in -6284, and all interest earned thereon since the time of seizure.

The Forfeited Defendants shall be condemned and forfeited to the United States of America upon entry of this Amended Consent Judgment. The United States Marshals Service shall dispose of the Forfeited Defendants in accordance with law.

b. The United States shall return the following defendants:

One 2004 Dodge Durango Limited, bearing VIN i. 1D4HB58D44F210253 and registered to James D. Melton;

\$9,265.71 seized from an account at Bank of ii. America in the name of Rhonda Melton at Bank of America, bearing an account number ending in -8555, and all interest earned thereon since the time of seizure. The United States Marshals Service ("USMS") shall return the 2004 Dodge Durango Limited to Melton not later than 30 days after the

entry of this Amended Consent Judgment by delivering custody of

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the vehicle to Melton, or to such party as such Melton may designate in writing. The USMS shall return the \$9,265.71 to the party from whom it was seized (Rhonda Melton) not later than 30 days after (a) the court enters this Amended Consent Judgment and (b) James Melton provides to government counsel Rhonda Melton's bank routing information and social security number, whichever is later.

Except as to such rights and obligations created by the 7. 8 parties' Stipulation filed as docket no. 39, Melton has released 9 and agreed to hold harmless the United States, and any agents, 10 servants, and employees of the United States (or any state or 11 local law enforcement agency), including without limitation the 12 Drug Enforcement Administration, acting in their individual or 13 official capacities, from all claims, actions or proceedings, 14 including, but not limited to, any claim for attorney's fees 15 and/or costs, or interest, which may hereafter be asserted or 16 brought by him or on his behalf which arise out of the present 17 action. 18

8. Each party shall bear its own costs of litigation and attorney's fees. Each party has waived its right to appeal. This Amended Consent Judgment constitutes a certificate of reasonable cause pursuant to 28 U.S.C. § 2465(a)(2).

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9. At the time this case was filed, the complaint named as
defendants in the case three additional vehicles encumbered by
large liens held by third parties: One 2007 Jaguar XKR Coupe,
bearing VIN SAJWA43C779B17296; One 2006 Maserati Gransport,
bearing VIN ZAMEC38A360026690; and One 2005 Aston Martin DB9,
bearing VIN SCFAD01A25GA00844 (collectively, the "Lien

1	Vehicles"). Melton and the United States previously stipulated	
2	and agreed (the "Lien Stipulations") that the lienholders would	
3	sell the Lien Vehicles. No net proceeds remained from the sale	
4	of the Lien Vehicles after the payment of the amount owed to the	
5	lienholders. To the extent not already accomplished by the Lien	
6	Stipulations and the Orders entered thereon, the Lien Vehicles	
7	are hereby dismissed from this action.	
8	10. The Court retains jurisdiction over this case and the	
9	parties hereto to effectuate the terms of this settlement.	
10	IT IS SO ORDERED.	
11	9/21/10 hale S. Jischer	
12	DATED: THE HONORABLE DALE S. FISCHER	
13	UNITED STATES DISTRICT JUDGE	
14	PRESENTED BY:	
15	ANDRÉ BIROTTE JR. United States Attorney	
16		
17	by:/s/	
18	MONICA E. TAIT Assistant United States Attorney	
19	Attorneys for plaintiff	
20	UNITED STATES OF AMERICA	
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